

Notice of Allowability

Application No.

09/741,504

Examiner

Cheukfan Lee

Applicant(s)

LICHTFUSS, HANS A.

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2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed July 15, 2005.
2. ☒ The allowed claim(s) is/are 1-27, now renumbered 1, 17, 2-6, 18, 7-14, 20, 15, 21, 16, and 22-27, respectively.
3. ☒ The drawings filed on 18 February 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


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1. All pending claims 1-26 are allowed. Claims 21-26 are newly added. Claims 1, 2, 8, 17, 19, 21, and 25 are independent.

2. The following is an examiner's statement of reasons for allowance:

Claims 2, 8, 17, and 19 have been rewritten in independent form. Claims 2, 8, 17, and 19 were indicated allowable in the previous Office Action dated March 17, 2005 if rewritten in independent form. Reasons for allowance given in the previous Office Action are still valid after the updated search and are repeated below.

Claim 2 recites "a shield component of a photodetector/shield unit has a channel configuration in which a photodetector resides". This channel configuration is not found in any of the prior art references of record, including the newly cited Williamson (U.S. Patent No. 6,307,649). This limitation in combination with other limitations of claim 1 on which claim 2 depends is not taught by the prior art of record, alone or in combination.

Claim 8 recites the "scanner of claim 1 further comprising electrical circuitry for adjusting said light source to provide a desired light color". Though electrical circuitry for adjusting the light source with in a display monitor is well known, the fact that the electrical circuitry is part of the scanner and the light source is part of the display, is not taught by any prior art of record, including the newly cited Williamson (U.S. Patent No. 6,307,649).

Claim 17 is allowable over the prior art of record because the prior art does not teach that the scanner holder has channels in which a roller wheel can turn and thereby guide the scanner screen into and out of the scanner screen holder as claimed.

Claim 19 is allowable over the prior art of record because none of the closest prior art references applied in the previous Office Action (U.S. Patent Nos. 5,416,610, 5,585,817, and 5,349,174) teaches that the three layers, i.e., the rear layer, platen layer and lid layer, are made of rigid plastic materials.

Claim 1 as amended defines over Kikinis (5,416,610) in view of Van Berkel et al. (5,349,174). The examiner agrees with Applicant on that the cover sheet in Kikinis when placed over the hard copy sheet 29 does not define an object holding space between a platen layer and a lid layer, where the lid layer and platen layer are spaced apart to enable the object to be moved into and out of the space on at least one side of the scanner screen. Please refer to Applicant's remarks, page 8, paragraph 5.

Claims 3-7, 9-16, 18, and 20 depending on claim 1 are allowable for the reason given for claim 1.

New claim 21 requires "a third layer spaced apart from the first layer to provide space for receiving an object to be scanned" and that "the scanner screen is moveable with respect to the holder from the first position to a second position in which the scanner screen is stowed in the holder". These features in combination with other limitations of claim 21 are not taught by the prior art of record. Although the prior art Williamson (U.S. Patent No. 6,307,649), newly cited, has the scanner movable between a first position for scanning and a second position (Fig. 8) at which the scanner (or scanner screen) is turned over (to the top of the computer monitor) by rotating about the

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rotation axis of a hinge (24) (Figs. 1, 5 and 8), the second position is not a position in which the scanner screen is stowed in the holder as claimed in claim 21.

New claims 22-24 depending on claim 21 are allowable for the reason given for claim 21.

New claim 25, a method claim, requires that an object to be scanned is loaded into a slot in the scanner, after the scanner screen is moved from a stowed position in the holder to a second position in which the scanner screen is positioned to receive light from the external light source. This feature in combination with other limitations of claim 25 are not taught by the prior art of record. The newly cited Williamson (6,307,649) discloses moving the scanner from a stowed position to a positioned in which the scanner is positioned to receive light from the external light source (of the computer monitor) (by turning the scanner about the rotation axis of a hinge (24)) (Figs. 1, 5 and 8). However, the stowed position of Williamson is not in the holder (Fig. 8), and the scanner does not have a slot for loading an object to be scanned.

Claim 26 depending on claim 25 is allowable for the reason given for claim 25.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(U.S. Patent No. 6,307,649) discloses a mountable scanning device with mounting structure for mounting to a computer monitor.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
August 3, 2005



Cheukfan Lee